

BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

HOUSE JUDICIARY COMMITTEE

Date: Thursday, February 17, 2011

Place: Capitol

Time: 8:00 AM

Room: 137

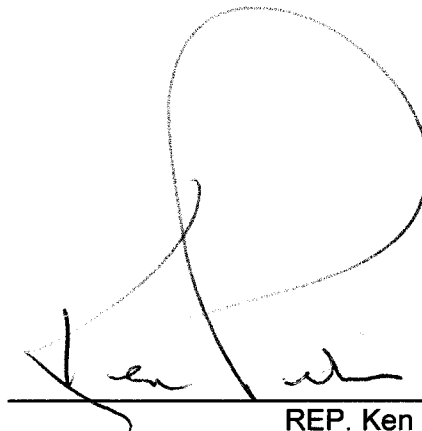
BILLS and RESOLUTIONS HEARD:

HB 50 - Revise requirements for civil actions against bars for dram shop liability
HB 455 - Amend MAPA to allow non-attorney representation before agencies
HB 457 - Provide protection of pregnant women
HB 493 - Provide for 14th amendment state compact on birth records
HB 496 - Allowing law enforcement agencies to destroy certain firearms they possess
HB 518 - Create a mental health care advance directive
HB 519 - Direct Dept of Corrections to terminate certain prison industries contracts
HB 532 - Revising statutes of limitations time limits regarding accrual of damages
HB 574 - Constitutional referendum to specify no right to abortion or its public funding

EXECUTIVE ACTION TAKEN:

HB 496 Do pass
HB 271 Do pass as amended
HB 455 Tabled

Comments:

A large, stylized handwritten signature in black ink, appearing to read 'Ken Peterson', is written over a horizontal line.

REP. Ken Peterson, Chair

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 2/17/2011

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. KEN PETERSON, CHAIR		<i>etc</i>
REP. KRAYTON KERNS, VICE CHAIR	✓	
REP. DIANE SANDS, VICE CHAIR	✓	
REP. MIKE MENAHAN	✓	
REP. ROBYN DRISCOLL	✓	
REP. KEITH REGIER	✓	
REP. DAN SKATTUM	✓	
REP. CLEVE LONEY	✓	
REP. MARGARET MACDONALD	✓	
REP. CAROLYN PEASE-LOPEZ	✓	
REP. MICHAEL MORE		✓
REP. LIZ BANGERTER	✓	
REP. WENDY WARBURTON	✓	
REP. BOB WAGNER	✓	
REP. ELLIE BOLDMAN HILL		✓
REP. BILL HARRIS	✓	
REP. KRISTIN HANSEN	✓	
REP. DAVID HOWARD	✓	
REP. JESSE O'HARA		✓
REP. JOE READ		✓



HOUSE STANDING COMMITTEE REPORT

February 17, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 496** (first reading copy -- white) do pass.

Signed: 

Representative Ken Peterson, Chair

- END -

Committee Vote:

Yes 12, No 7

Fiscal Note Required ☐

HB0496001SC.hgh

*jm
2/17/11
1:05*



HOUSE STANDING COMMITTEE REPORT

February 17, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 271** (first reading copy -- white) do pass as amended.

Signed: 

Representative Ken Peterson, Chair

And, that such amendments read:

1. Title, line 6.

Strike: "APPLY FOR"

Insert: "OBTAIN"

2. Page 1, line 19.

Strike: "apply for"

Insert: "obtain"

- END -

Committee Vote:

Yes 11, No 9

Fiscal Note Required ☐

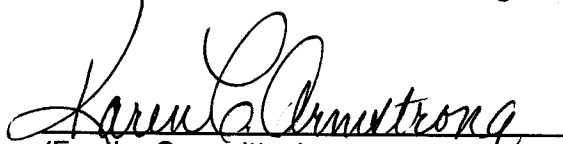
HB0271002SC.hgh


John
2/17/11
1:50


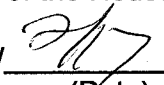
BILL TABLED NOTICE

HOUSE JUDICIARY COMMITTEE

The HOUSE JUDICIARY COMMITTEE TABLED HB 455 - Amend MAPA to allow non-attorney representation before agencies, by motion, on Friday, February 18, 2011.


(For the Committee)


(For the Chief Clerk of the House)

 (Time)  (Date)

February 17, 2011

Karen Armstrong, Secretary

Phone: (406) 444-4607

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 2/16/2011 BILL NO 496 MOTION NO. do pass
MOTION: _____

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR		✓	
REP. DIANE SANDS, VICE CHAIR	✓		proxy
REP. MIKE MENAHAN	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEITH REGIER		✓	
REP. DAN SKATTUM		✓	
REP. CLEVE LONEY		✓	
REP. MARGARET MACDONALD	✓		
REP. PEASE-LOPEZ	✓		
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	✓		
REP. WENDY WARBURTON		✓	
REP. BOB WAGNER		✓	
REP. ELLIE BOLDMAN HILL	✓		
REP. BILL HARRIS		✓	
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD			no vote
REP. JESSE O'HARA	✓		proxy
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 2/16/2011 BILL NO. 271 MOTION NO. 1
 MOTION: move to reconsider passed

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR			absent
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER		✓	
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN		✓	
REP. DAVID HOWARD			absent
REP. JESSE O'HARA			absent
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 2/16/2011 BILL NO. 271 MOTION NO. 2
MOTION: dis pass passed

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR	X	✓	proxy
REP. MIKE MENAHAN	X	✓	
REP. ROBYN DRISCOLL	X	✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD	X	✓	
REP. PEASE-LOPEZ	X	✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	X	✓	
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL	X	✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD	X	X	proxy
REP. JESSE O'HARA	X	X	proxy
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 2/17/2011 BILL NO. 455 MOTION NO. _____
 MOTION: do pass failed

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR		✓	proxy
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		proxy
REP. CLEVE LONEY		✓	
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER		✓	
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD			no vote
REP. JESSE O'HARA		✓	proxy
REP. JOE READ		✓	
REP. KEN PETERSON, CHAIR		✓	

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**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the _____

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

HB 271		X
HB 455		X
HB 496	X	

BILL/AMENDMENT AYE NO

Rep. _____

(Signature)

Date 2-17-11

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary
Committee because of other commitments. I desire to leave my proxy vote with:

Rep McDonald

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

HB 496	X	
HB 271		X
HB 455		X

BILL/AMENDMENT

AYE NO

Rep. Blair Sands
(Signature)

Date 2/17/11

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary
Committee because of other commitments. I desire to leave my proxy vote with:

Rep Kern

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 271		X

BILL/AMENDMENT	AYE	NO

Rep. Clare Howard Date 2/17/11
(Signature)

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the July 1st
Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

[illegible][illegible]

Rep. Don Shotts
(Signature)

Date 2-17-10

MONTANA House of Representatives
Visitors Register
HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 50 - Revise requirements for civil actions against bars for dram shop liability

Sponsor: Representative Ken Peterson

PLEASE PRINT

Name	Representing	Support	Oppose
JOHN HAYES	CCTA		X
Mike Cole	Self	X	
Neil Peterson	Gaming Industry Assoc		X
Magueline Bernmark	Am. Ins. Assn		X
Bray Spencer	PCT Allstate		X
Greg Whaley	State Farm Ins Co		X
R Sturdevant	Self	X	
H Sturdevant	Self	X	
Chen J. Sullivan	Staples Law Office/MTA		X
Randa Veligter	MT Coin Machine Operators		X
David Holi	Self	X	
Jan Burkley	Self	X	
Daryl Sinton	Farmers Ins Group		X
Harvies HINES	Self	✓	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 455 - Amend MAPA to allow non-attorney representation before agencies

Sponsor: Representative Jerry O'Neil

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives
Visitors Register
HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 457 - Provide protection of pregnant women

Sponsor: Representative Pat Noonan

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives

Visitors Register

HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 493 - Provide for 14th amendment state compact on birth records

Sponsor: Representative James Knox

PLEASE PRINT[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 496 - Allowing law enforcement agencies to destroy certain firearms they possess

Sponsor: Representative Mike Menahan

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives
Visitors Register
HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 518 - Create a mental health care advance directive

Sponsor: Representative Chuck Hunter

PLEASE PRINT

Name	Representing	Support	Oppose
Donald Hayr	MT Psychiatric Association MT Medical Association		✓
Jon Metropoulos	ALW ARE	X	
Michael Connor	PEERS	X	
Robert Caldwell MD	Self	+	
Chet Dener	Self	X	
Lou Thompson	OPHHS / AMDD	X	
Andrea Rasmussen	Disability Rights MT	X	
Mark Ick	NAMI	X	
Mike Foster	St. Patrick Hospital	X	
DJ Bowling	St Peter's Hosp		X
Amee Gernusier	Billings Clinic	X	
Don Judge	MT Nurses Association	X	
Nanette Gilbertson	Kathy McGowan Center for Mental Health Eastern & Western MT Mental Health	✓	
Carl L. Keener MD	self	X	
Matt Bugni	AWARE Inc.	X	
CANACE Ayres	Mont. Psychiatric Assoc		X
LISA Wamsley	Self & family (Reg. Nurse)		X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives
Visitors Register
HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 519 - Direct Dept of Corrections to terminate certain prison industries contracts

Sponsor: Representative Edward Greef

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives
Visitors Register
HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 532 - Revising statutes of limitations time limits regarding accrual of damages

Sponsor: Representative Tom Berry

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

HOUSE JUDICIARY COMMITTEE

Thursday, February 17, 2011

HB 574 - Constitutional referendum to specify no right to abortion or its public

Sponsor: Representative Wendy Warburton

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.